

## Department of Veterans Affairs

## § 59.140

secure, residential-type area that is accessible to acute medical care facilities, community activities and amenities, and transportation facilities typical of the area.

(d)(1) State homes must meet the applicable provisions of the National Fire Protection Association's NFPA 101, Life Safety Code (2009 edition), except that the NFPA requirement in paragraph 19.3.5.1 for all buildings containing nursing homes to have an automatic sprinkler system is not applicable until February 24, 2016 for "existing buildings" with nursing home facilities as of June 25, 2001 (paragraph 3.3.32.5 in the NFPA 101 defines an "[e]xisting [b]uilding" as "[a] building erected or officially authorized prior to the effective date of the adoption of this edition of the Code by the agency or jurisdiction"), and the NFPA 99, Standard for Health Care Facilities (2005 edition). Incorporation by reference of these materials was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials, incorporated by reference, are available for inspection at the Department of Veterans Affairs, Office of Regulation Policy and Management (02REG), Room 1068, 810 Vermont Avenue, NW, Washington, DC 20420 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). Copies may be obtained from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101. (For ordering information, call toll free 1-800-344-3555.)

(2) Facilities must also meet the State and local fire codes.

(e) State homes must have an emergency electrical power system to supply power adequate to operate all exit signs and lighting for means of egress, fire and medical gas alarms, and emergency communication systems. The source of power must be an on-site emergency standby generator of sufficient size to serve the connected load or other approved sources.

(f) The nurse's station must be equipped to receive resident calls through a communication system from resident rooms, toilet and bathing facilities, dining areas, and activity areas.

(g) The State home must have one or more rooms designated for resident dining and activities. These rooms must be:

- (1) Well lighted;
- (2) Well ventilated; and
- (3) Adequately furnished.

(h) The facility management must provide a safe, functional, sanitary, and comfortable environment for the residents, staff and the public. The facility must:

- (1) Ensure that water is available to essential areas when there is a loss of normal water supply;
- (2) Have adequate outside ventilation by means of windows, or mechanical ventilation, or a combination of the two;
- (3) Equip corridors with firmly secured handrails on each side; and
- (4) Maintain an effective pest control program so that the facility is free of pests and rodents.

(Authority: 38 U.S.C. 101, 501, 1710, 1742, 8105, 8131-8137)

[66 FR 33847, June 26, 2001, as amended at 76 FR 10249, Feb. 24, 2011]

### § 59.140 Nursing home care requirements.

As a condition for receiving a grant and grant funds for a nursing home facility under this part, States must comply with the requirements of this section.

(a) Resident rooms must be designed and equipped for adequate nursing care, comfort, and privacy of residents. Resident rooms must:

- (1) Accommodate no more than four residents;
- (2) Have direct access to an exit corridor;
- (3) Have at least one window to the outside;
- (4) Be equipped with, or located near, toilet and bathing facilities (VA recommends that public toilet facilities also be located near the residents dining and recreational areas);
- (5) Be at or above grade level;

(6) Be designed or equipped to ensure full visual privacy for each resident;

(7) Except in private rooms, each bed must have ceiling suspended curtains that extend around the bed to provide total visual privacy in combination with adjacent walls and curtains;

(8) Have a separate bed for each resident of proper size and height for the safety of the resident;

(9) Have a clean, comfortable mattress;

(10) Have bedding appropriate to the weather and climate;

(11) Have functional furniture appropriate to the resident's needs, and

(12) Have individual closet space with clothes racks and shelves accessible to the resident.

(b) Unless determined by VA as necessary to accommodate an increased quality of care for patients, a nursing home project may propose a deviation of no more than 10 percent (more or less) from the following net square footage for the State to be eligible for a grant of 65 percent of the total estimated cost of the project. If the project proposes building more than the following net square footage and VA makes a determination that it is not needed, the cost of the additional net square footage will not be included in the estimated total cost of construction.

TABLE TO PARAGRAPH (b)—NURSING HOME

I. Support facilities [allowable square feet (or metric equivalent) per facility for VA participation]:	
Administrator .....	200
Assistant administrator .....	150
Medical officer, director of nursing or equivalent .....	150
Nurse and dictation area .....	120
General administration (each office/person) .....	120
Clerical staff (each) .....	80
Computer area .....	40
Conference room (consultation area, in-service training) .....	500 (for each room)
Lobby/waiting area. (150 minimum/600 maximum per facility) .....	3 (per bed)
Public/resident toilets (male/female) .....	25 (per fixture)
Pharmacy <sup>1</sup> .	
Dietetic service <sup>1</sup> .	
Dining area .....	20 (per bed)
Canteen/retail sales .....	2 (per bed)
Vending machines (450 max. per facility) .....	1 (per bed)
Resident toilets (male/female) .....	25 (per fixture)
Child day care <sup>1</sup> .	
Medical support (staff offices/exam/treatment room/family counseling, etc.).	140 (for each room)
Barber and/or beauty shops .....	140
Mail room .....	120
Janitor's closet .....	40
Multipurpose room .....	15 (per bed)
Employee lockers .....	6 (per employee)
Employee lounge (500 max. per facility) .....	120
Employee toilets .....	25 (per fixture)
Chapel .....	450
Physical therapy .....	5 (per bed)
Office, if required .....	120
Occupational therapy .....	5 (per bed).
Office, if required .....	120
Library .....	1.5 (per bed)
Building maintenance storage .....	2.5 (per bed)
Resident storage .....	6 (per bed)
General warehouse storage .....	6 (per bed)
Medical/dietary/pharmacy .....	7 (per bed)

TABLE TO PARAGRAPH (b)—NURSING HOME—Continued

General laundry <sup>1</sup> .	
II. Bed units:	
One .....	150
Two .....	245
Large two-bed per unit .....	305
Four .....	460
Lounge areas (resident lounge with storage) .....	8 (per bed)
Resident quiet room .....	3 (per bed)
Clean utility .....	120
Soiled utility .....	105
Linen storage .....	150
General storage .....	100
Nurses station, ward secretary .....	260
Medication room .....	75
Exam/Treatment room .....	140
Waiting area .....	50
Unit supply and equipment .....	50
Staff toilet .....	25 (per fixture)
Stretcher/wheelchair storage .....	100
Kitchenette .....	150
Janitor's closet .....	40
Resident laundry .....	125
Trash collection .....	60
III. Bathing and Toilet Facilities:	
(A) Private or shared facilities:	
Wheelchair facilities .....	25 (per fixture)
Standard facilities .....	15 (per fixture)
(B) Full bathroom .....	75
(C) Congregate bathing facilities:	
First tub/shower .....	80
Each additional fixture .....	25

<sup>1</sup>The size to be determined by the Chief Consultant, Geriatrics and Extended Care, as necessary to accommodate projected patient care needs (must be justified by State in space program analysis).

(Authority: 38 U.S.C. 101, 501, 1710, 1742, 8105, 8131–8137; Sections 2, 3, 4, and 4a of the Architectural Barriers Act of 1968, as amended, Public Law 90–480, 42 U.S.C. 4151–4157)

#### § 59.150 Domiciliary care requirements.

As a condition for receiving a grant and grant funds for a domiciliary under this part, the domiciliary must meet the requirements for a nursing home specified in § 59.140 of this part.

(Authority: 38 U.S.C. 101, 501, 1710, 1742, 8105, 8131–8137)

#### § 59.160 Adult day health care requirements.

As a condition for receiving a grant and grant funds under this part for an adult day health care facility, States must meet the requirements of this section.

(a) Each adult day health care program, when it is co-located in a nurs-

ing home, domiciliary, or other care facility, must have its own separate designated space during operational hours.

(b) The indoor space for an adult day health care program must be at least 100 square feet per participant including office space for staff, and must be 60 square feet per participant excluding office space for staff.

(c) Each program will need to design and partition its space to meet its own needs, but the following functional areas must be available:

(1) A dividable multipurpose room or area for group activities, including dining, with adequate table setting space.

(2) Rehabilitation rooms or an area for individual and group treatments for